

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

2004 JUN 20 P 3:58

HMH TRANSPORTATION INC.
Plaintiffs,

v.

NAVIGATOR LOGISTICS
MANAGEMENT, INC.,
CARL S. HURVITZ A/K/A STEVEN
HURVITZ and CARL STEVEN
HURVITZ
Defendants.

CIVIL ACTION NO.

AMOUNT \$150,532.80
SUMMONS ISSUED N/A
LOCAL RULE 4.1 1
WAIVER FORM 1
MCF ISSUED 1-20-04
FPM

PETITION FOR REMOVAL

Defendants Navigator Logistics Management, Inc. and the other defendants named herein, hereby petition, pursuant to 28 U.S.C. § 1446, to remove this case which was originally brought in the Commonwealth of Massachusetts, Plymouth County, Plymouth District Court to the United States District Court for the District of Massachusetts.

Removal is authorized by 28 U.S.C. § 1441 because this Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1331; the complaint asserts a claim for freight charges for goods shipped in interstate commerce, which claim arises under the laws of United States; and this District embraces the place of the Commonwealth of Massachusetts, Plymouth County, Plymouth District Court.

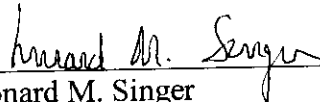
In further support of this Petition of Removal, defendants state as follows:

1. This case was originally commenced in the Commonwealth of Massachusetts, Plymouth County, Plymouth District Court on or about December 11, 2003.

2. This Petition for Removal is being filed with the Court on the first business day following the 30th day after December 18, the date upon which one of the defendants became aware of the action.
3. Attached hereto is a copy of all process, pleadings and orders served on the defendants.
4. A copy of this Petition to Remove is being filed with the Clerk of the Plymouth District Court and is being served upon all parties to this action.
5. Pursuant to Local Rule 81.1(a) defendants will file certified copies of the entire limit District Court file including a certified copy of the docket sheet within thirty days.

Defendants,

By their attorneys,



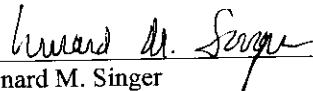
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Of counsel:

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CERTIFICATE OF SERVICE

I, Leonard M. Singer, hereby certify that I have served the foregoing on all parties. Such service was made by causing a copy of the foregoing to be faxed to Jonathan H. Allen, Weiner and Peskin, PC, 95 State Street, Suite 918, Springfield, Massachusetts 01103 on January 20, 2004.



Leonard M. Singer